

JAMES M. WAGSTAFFE (95535)  
wagstaffe@kerrwagstaffe.com  
MICHAEL VON LOEWENFELDT (178665)  
mvl@kerrwagstaffe.com  
MICHAEL NG (237915)  
ng@kerrwagstaffe.com  
KELLY A. CORCORAN (260268)  
corcoran@kerrwagstaffe.com  
**KERR & WAGSTAFFE LLP**  
100 Spear Street, Suite 1800  
San Francisco, CA 94105-1528  
Telephone: (415) 371-8500  
Fax: (415) 371-0500

Attorneys for Plaintiffs  
JEFFREY HERSON AND EAST BAY  
OUTDOOR, INC.

**UNITED STATES DISTRICT COURT**

**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

JEFFREY HERSON, an individual;  
EAST BAY OUTDOOR, INC., a California  
corporation,

Plaintiffs,

vs.

CITY OF RICHMOND, a charter city,

Defendant.

Case No. 3:09-cv-02516-PJH

**STIPULATION AND ORDER  
CONTINUING HEARING ON MOTION  
FOR PRELIMINARY INJUNCTION**

DATE: July 22, 2009

TIME: 9:00

LOCATION: 17th Floor, Courtroom 5

TRIAL: [None]

Honorable Phyllis J. Hamilton

Plaintiffs Jeffrey Herson and East Bay Outdoor, Inc. (“Plaintiffs”) and Defendant City of Richmond (“Defendant”), collectively (“Parties”) by and through their undersigned counsel, hereby stipulate and agree as follows:

WHEREAS Plaintiffs filed a Complaint on June 5, 2009;

WHEREAS Plaintiffs filed a Motion for Preliminary Injunction on June 10, 2009;

WHEREAS Defendant was required to hire outside counsel and needs additional time to oppose the Motion for Preliminary Injunction;

WHEREAS no previous time modifications have been made in this case;

NOW THEREFORE, the parties, by and through their counsel of record, do hereby stipulate as follows:

- 1) Extend the time for Defendant to file its Opposition to the Motion for Preliminary Injunction until July 1, 2009;
- 2) Extend the time for Plaintiffs file their Reply to Defendant's Opposition to the Motion for Preliminary Injunction until July 8, 2009;
- 3) Continue the hearing on Plaintiff's Motion for Preliminary Injunction currently set for July 15, 2009 until July 22, 2009, or the Court's next available date.

DATED: June 12, 2009

**KERR & WAGSTAFFE LLP**

By /s/  
KELLY A. CORCORAN

Attorneys for Plaintiffs  
JEFFREY HERSON AND EAST BAY  
OUTDOOR, INC.

1 DATED: June 12, 2009

2  
3 **OFFICE OF THE CITY ATTORNEY**  
4 **Randy Riddle, City Attorney**

5 By 

6 K. SCOTT DICKEY

7 Chief Deputy City Attorney

8 Attorneys for Defendant,  
9 CITY OF RICHMOND

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED:

The deadline for Defendant to file an Opposition to Motion for Preliminary Injunction is  
15  
extended to July 15, 2009.

The deadline for Plaintiff to file Reply to Defendant's Opposition to Motion for  
21  
Preliminary Injunction is extended to July 21, 2009.

The hearing on the Motion for Preliminary Injunction is continued until  
August 5, 2009.

DATED: June 15, 2009



Honorable Phyllis J. Hamilton  
United States District Judge